## Before the COPYRIGHT ROYALTY BOARD LIBRARY OF CONGRESS Washington, D.C.

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In the Matter of

Determination of Royalty Rates for Digital Performance Right in Sound Recordings and Ephemeral Recordings Docket No. 14-CRB-0001-WR (2016-2020) Web IV

## MOTION TO EXTEND TIME TO FILE OPPOSITION TO SOUNDEXCHANGE'S MOTION TO DENY THE NATIONAL MUSIC PUBLISHERS' ASSOCIATION'S PETITION TO PARTICIPATE

Pursuant to 37 C.F.R. § 350.5(b), the National Music Publishers' Association, Inc. ("NMPA") respectfully moves for an extension of time to file its opposition to the Motion to Deny NMPA's Petition to Participate ("Motion to Deny") filed by SoundExchange, Inc. ("SoundExchange") on March 18, 2014. Pursuant to 37 C.F.R. § 350.4(f), the NMPA's opposition is currently due on March 25, 2014.

- 1. The NMPA requests a modest 8-day extension of this deadline until April 2, 2014. No party to the proceeding will be prejudiced by the requested extension, and SoundExchange has consented to the request. In return, the NMPA and SoundExchange have agreed to an extension of the deadline to file SoundExchange's reply brief until April 11, 2014. We have notified the other parties to the proceeding, as required by 37 C.F.R. § 350.5(b), and have received no objection to the requested extension of time.
- 2. The NMPA seeks an extension of the March 25 deadline for two reasons. First, the extension is necessary for the NMPA to fully develop its arguments in response to SoundExchange's motion, which raises a number of arguments concerning

the standard for participation in this proceeding. The NMPA's Petition to Participate was filed on February 3, 2014. SoundExchange did not file its Motion to Deny until March 18, 2014, more than six weeks later. The short time frame provided by the copyright regulations will not allow the NMPA sufficient time to address adequately the arguments advanced by SoundExchange. The modest extension requested will also allow the Copyright Royalty Judges to make a decision on the basis of fully developed arguments on both sides.

3. Second, the current deadline of March 25, 2014 creates an unavoidable scheduling conflict for the NMPA, which is currently preparing for meetings of its Board of Directors that will take place on March 25 and 26, 2014. Those meetings will include a discussion of this proceeding, including the issues raised by SoundExchange's motion, which in turn may shape the NMPA's response.

For the foregoing reasons, we request that the Judges extend the deadline by which the NMPA must file its opposition to SoundExchange's Motion to Deny until April 2, 2014. We also respectfully request that the Judges act on this motion as soon as is practicable, given the March 25 deadline that will obtain if the extension is not granted.

Dated: March 20, 2014

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of March, 2014, I caused a true and correct copy of the foregoing motion to be served via email on the following parties:

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